

CITY OF LAKE CITY, FLORIDA

ORDINANCE NUMBER 2025-2327

1 AN ORDINANCE PERTAINING TO SOLID WASTE SERVICES AND
2 MANAGEMENT WITHIN THE CITY OF LAKE CITY; PROVIDING
3 UPDATED DEFINITIONS; ESTABLISHING PROVISIONS RELATED TO
4 THIRD-PARTY AND CONTRACTOR-GENERATED WASTE;
5 ESTABLISHING PROVISIONS RELATED TO STORM DEBRIS WASTE
6 CONTRACTORS; ESTABLISHING A CONTRACTOR REGISTRATION
7 PROCESS FOR DECLARED STATES OF EMERGENCY; REPEALING ALL
8 RESOLUTIONS AND ORDINANCES IN CONFLICT; MAKING FINDINGS
9 OF FACT IN SUPPORT THEREOF; PROVIDING FOR SEVERABILITY; AND
10 PROVIDING AN EFFECTIVE DATE

11 **WHEREAS**, the City of Lake City (the “City”) exercises regulatory authority over solid waste
12 services and management in the City (the “Regulatory Function”); and

13 **WHEREAS**, to perform its Regulatory Function, the City provides certain services related to solid
14 waste services and management in the City and for the benefit of the public welfare (the
15 “Services”); and

16 **WHEREAS**, the has established certain ordinances concerning solid waste services and
17 management in the City (the “Ordinances”), which must be updated from time to time; and

18 **WHEREAS**, storm debris removal has been a particularly vexatious activity for the City to manage
19 during declared states of emergency following significant weather events; and

20 **WHEREAS**, establishing a regulatory framework to provide order to storm debris removal is for
21 the benefit of the public welfare; and

22 **WHEREAS**, the City Council, being fully advised of the facts and circumstances, hereby finds it
23 necessary and in the interest of prudent management of the City’s solid waste services to update
24 the definitions in the Ordinances and to establish a regulatory framework concerning storm
25 debris contractors and removal; now, therefore

26 **BE IT ENACTED BY THE PEOPLE OF THE CITY OF LAKE CITY, FLORIDA:**

27 **SECTION 1. AMENDMENT OF CHAPTER 83, ARTICLE I – SOLID WASTE SERVICES AND** 28 **MANAGEMENT, STANDARDS AND REGULATIONS**

29 Chapter 83, Article I, City of Lake City Code of Ordinances is hereby amended to read and provide
30 as follows:

31 CHAPTER 83 - SOLID WASTE SERVICES AND MANAGEMENT

ARTICLE I. - STANDARDS AND REGULATIONS

Sec. 83-1. - Finding and purpose.

The city finds ~~that~~ it is necessary and fulfills a public purpose to provide for solid waste services ~~to for~~ its citizens and ~~provide for the its~~ efficient management ~~thereof in order~~ to enhance the beauty and quality of the environment of the city; conserve and recycle ~~our the city's~~ natural resources; prevent the spread of disease and the creation of nuisances; protect the public health, safety and welfare; comply with all applicable state and federal laws; and provide a coordinated city-wide solid waste management program.

Sec. 83-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Automated collection means a system of waste collection which utilizes automated or semi-automated refuse carts, or dumpsters and collection vehicles capable of automatically or semi-automatically picking up and unloading the refuse cart.

Biohazardous waste means any solid waste or liquid waste that may present a threat of infection to humans. The term includes but is not limited to, non-liquid human tissue and body parts; laboratory and veterinary waste containing human-disease-causing agents; used disposable sharps; human blood, human blood products, and any body fluids; and any other materials representing a significant risk of infection to persons outside of the generating facility or defined as "biohazardous waste," "biomedical waste," or "biological waste" under state or federal law.

Building official means the ~~city~~ director of the city's growth management building, zoning and licensing department.

Bulky waste means quantities of municipal solid waste, yard waste or other items ~~whose the large size of which~~ precludes or complicates their handling by ~~trash can residential solid waste collection~~ use of a refuse cart, automated collection, or containerized residential solid waste collection processing or disposal methods. Bulky waste shall not include other municipal solid waste requiring special handling and management, including, but not limited to, white goods, waste tires, refrigerants, used oil, lead-acid batteries, construction and demolition debris, ash

residue, and biohazardous waste.

Citation means a written notice, issued by an officer to a person ~~by an officer, that~~
which person the officer has probable cause to believe ~~the person~~ has committed a
civil infraction in violation of a duly enacted ordinance and that the county court
will hear the charge.

City means the City of Lake City, Florida.

City council or *council* means the City Council of the City of Lake City, Florida.

Collector means any person: (1) employed by, or who contracts with the city, or who
has a permit issued by the city; and (2) who is engaged in the collection,
transportation, and/or disposal of municipal solid waste or recovered materials
from residential, ~~commercial, industrial,~~ institutional, commercial and industrial
premises, or other establishments.

Commercial and industrial premises means each or all premises except residential
premises.

~~*Commercial municipal solid waste container* or *commercial solid waste container*~~
means a dumpster, roll-off box, compactor, or other container for municipal solid
waste approved for commercial use by the city.

~~*Compacted municipal solid waste* means municipal solid waste that has been
processed by a compactor.~~

Compactor means any fixed or mobile, manual, mechanical, hydraulic or electrical
machine designed and used specifically for compacting, volume reduction,
densification, and containing of refuse or recyclables.

Construction and demolition debris (also see *contractor-generated waste*) means
discarded materials generally considered to be not water soluble and nonhazardous
in nature, including but not limited to, steel, glass, brick, concrete, asphalt material,
pipe, gypsum wallboard, and lumber, from the construction or destruction of a
structure as part of a construction or demolition project or from the renovation of
a structure, including such debris from construction of structures at a site remote
from the construction or demolition site. The term includes rocks, soils, tree
remains, trees, and other vegetative matter which normally results from land
clearing or land development operations for a construction project; and clean
cardboard, paper, plastic, wood, and metal scraps from a construction project.
Mixing of construction and demolition debris with other types of municipal solid
waste will cause it to be classified as other than construction and demolition debris.

Contained yard waste means yard waste, which is placed in containers, provided by the customer or provided and assigned by the city. Acceptable containers provided by the customer include metal or plastic cans (each not to exceed 32-gallon capacity), or plastic garbage bags, provided ~~that the bags are not over 60-gallon capacity and~~ do not weigh more than 60 pounds. The cans or bags shall be strong enough to support the weight of the contents without tearing, ripping or breaking.

Container means a receptacle for the accumulation of solid waste or recyclable materials including, but not limited to, trash can, roll cart, bulk container or dumpster requiring mechanical lifting, and roll-off, open-top, or compaction containers.

Containerized residential solid waste collection means the collection of residential municipal solid waste from dwelling units whose garbage is collected by means of a central or shared commercial municipal solid waste container and not by means of a ~~garbage can or~~ refuse cart.

Contaminated waste means waste other than horticultural waste or yard waste that is commingled for collection with horticultural waste and/or yard waste.

Contractor-generated waste means construction and demolition debris, or bulky yard waste, or any combination thereof, generated by builders, building contractors, privately-employed tree trimmers and tree surgeons, landscape services and lawn or yard maintenance services, and nurseries.

Curbside means that portion of the right-of-way adjacent to and abutting the traveled city streets and alleys. The intention of a curbside designation is to allow collection in a rapid manner with walking or reaching minimized. In all cases, the ~~public works director~~ city manager or city manager's designee shall have the authority to approve or specify the precise location for such curbside placement.

Curbside collection means the collection of refuse and loose yard waste from a customer receiving residential service by a collector at the curbside.

Customer means the person, organization or corporation responsible for payment of all residential, commercial, or commercially-collected residential services used at a specific location, and further defined as that person, organization or corporation who signed the utility application or commercial service contract requesting that services be made available at the specific location and thereby agreeing to pay for all usage of such services occurring at the location.

Debris contractor means any person, persons acting in concert, corporation, company, partnership, or any other person or entity which, acting on a for-profit

basis, performs cleanup of storm debris.

Dumpster means any container with a capacity of one (1) cubic yard or greater.

~~Dumpster lock means a lock provided for commercial sanitation customers requiring lock service. The lock operates with a master key and is the only lock a customer may use to secure its dumpster enclosure with gates.~~

~~Dumpster pad means construction of a concrete pad at a location approved by the city.~~

~~Dumpster pad enclosure means a three-sided structure used to enclose a dumpster pad. The enclosure may include attachment of swinging gates at the dumpster service entrance of the pad. The enclosure and gates must be constructed in compliance with the city's specifications.~~

Garbage means all accumulations of animal, fruit, or vegetable matter that result from the preparation, use, cooking, dealing in, or storage of meats, fish, fowl, fruit, vegetables and any other matter of any nature which is subject to decay, putrefaction, and the generation of noxious and offensive gases or odors, or which, during and after decay, may serve as a breeding or feeding material for rodents, stray animals, flies or other germ-carrying insects.

~~Gated communities means a residential development with privately owned homes and roads where ingress and egress to the development is controlled by gates or other forms of security.~~

Hazardous waste means waste which requires requiring special handling due to its acute or chronic effects on air and or water quality, on fish, wildlife, or other biota, and on the health and welfare of the public, including but not limited to, material designated as hazardous in any federal, state, county, or city statute, regulation, or ordinance; also that waste which is determined to be hazardous by the United States Environmental Protection Agency, or any other federal agency.

Horticultural waste means an accumulation of lawn, grass, or shrubbery cuttings, or clippings and dry leaf rakings, palm fronds, tree branches not exceeding four feet in length and four inches in diameter, bushes or shrubs, green leaf cuttings, vegetables, fruits, or other matter usually created as refuse in the care of lawns and yards, except large branches, trees, or bulky or noncombustible materials not susceptible to normal loading and collection in load-packer type sanitation equipment used for regular collections from domestic households. Tree trimmings and palm fronds shall be tied in bundles not exceeding four feet in length, not weighing over 50 pounds, and placed at the curb for pickup. [QUESTION – Do we

collect this type of material through our municipal collection program/system?]

~~*Industrial solid waste* means municipal solid waste generated by manufacturing or industrial processes that is not hazardous waste. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes; electric power generation; fertilized/agricultural chemicals; food and related products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing or foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products; textile manufacturing; transportation equipment; and water treatment.~~

~~*Junk* means household discarded materials, furniture, and any other discarded matter other than garbage and trash other than yard waste, which is noncontainable and is abandoned for disposal.~~

Litter means any garbage, rubbish, trash, refuse, can, bottle, container, paper, lighted or unlighted cigarette or cigar, or other like material which is not containerized.

~~*Loose yard waste* means yard waste placed out for collection grass, leaves, tree limbs or other organic cuttings related to the maintenance of lawns or gardens that is not containerized and is placed out for collection~~
contained yard waste.

Municipal solid waste means discarded property, whether composed of either organic or inorganic particles or a combination of both, including garbage, junk, refuse and trash. The term does not include recovered materials as defined in ~~F.S.~~ Section 403.703(6)(24), Florida Statutes or yard waste.

Officer means any code enforcement officer or such other person designated and appointed by the city manager.

Owner means a person who owns, leases ~~or~~, occupies, or otherwise exercises dominion and control over and about property.

~~*Permittee* means any person who obtains a franchise agreement or private hauler permit from the city.~~

Plastic garbage bag means a polyethylene or other heavy-duty plastic bag, ~~which meets~~ the National Sanitation Foundation, standard for thickness of one and one-tenth mils, ~~has~~ having a capacity not to exceed 32 gallons, and ~~has~~ having a securing mechanism.

Private road means an undedicated paved or unpaved thoroughfare ~~that provides~~

providing vehicular access to developed property.

~~Private solid waste hauler, private hauler, private collector or hauler~~ means any person engaging in conduct for which a permit is required by the city.

~~Rates shall or fee~~ means those charges ~~and fees~~ adopted by the city council by resolution, ordinance, or contract for the collection, disposal, and management of municipal solid waste, yard waste, and recovered materials.

Recovered materials means metal, paper, glass, plastic, textile, rubber or organic, including without limitation, yard waste materials ~~that have~~ having known recycling potential, that can be feasibly recycled, and have been diverted and source-separated or have been removed from the municipal solid waste stream for sale, use, or reuse as raw materials, whether or not the materials require subsequent processing or separation from each other, but does not include materials destined for any use ~~that constitutes~~ constituting disposal. Recovered materials are not municipal solid waste.

~~Recovered materials dealer~~ means ~~any person who handles, purchases, receives, recovers, sells, or is an end-user of recovered materials and has obtained current certification to be a recovered materials dealer pursuant to the procedures and requirements defined in F.S. §§ 403.7046(1) and 403.7046(3)(b).~~

Recyclable commodities are items which can be reused after processing, and would otherwise be processed as municipal solid waste.

Recyclable materials means those materials capable of being recycled that would otherwise be processed or disposed of as solid waste.

Recycling means any process by which materials, which would otherwise become municipal solid waste, are diverted, collected, separated, or processed and reused or returned to use in the form of raw materials or products.

Recycling container means an authorized container for recyclable commodities.

Recycling dumpster means a dumpster specifically colored and labeled for the collection of specific recyclable commodities.

Refuse means garbage, trash and any other discarded matter ~~which is~~ containable and ~~is~~ abandoned for disposal but ~~is~~ not sought for recycling.

Refuse cart means a serial numbered container with a capacity of between 40 and 96 gallons, on wheels for rolling, with a nonremovable, hinged lid, suited to semi-automated or automated dumping equipment which is provided by the city or its designated contractor.

Rerouting means the purposeful or unintended altering of a planned collection route ~~which prevents preventing~~ the collection of municipal solid waste at the time service is normally provided. Purposeful or unintended altering may include, but is not limited to, obstruction, inaccessibility, customer request, or complaints from nearby residents.

Residential means the use of property as a residential premises.

Residential dwelling means any premises used as a single-family dwelling.

Residential premises means any single-family dwelling or premises used as a multi-family dwelling within the city.

Residential service means the solid waste collection service provided to persons occupying a residential premises within the city.

~~*Salvaging* means the controlled removal of valuable or useful material from municipal solid waste for utilization.~~

Sanitary municipal solid waste system means those formal divisions of the department involved in the management and disposal of municipal solid waste.

~~*Sanitary nuisance* means a condition created by any person(s), or the keeping, maintaining, propagation, existence, or permitting of anything by a person(s) by which the health or lives of individuals may be threatened or impaired, or by which disease may be caused or transmitted.~~

Sanitation services means a city general fund service established pursuant to section 83-3.

~~*Scavenging* means the uncontrolled removal of materials at any point in solid waste management. Sanitary municipal solid waste system means those formal divisions of the department involved in the management of municipal solid waste.~~

Sludge means any solid or semi-solid or liquid generated from any water or wastewater treatment plant, air pollution control facility, septic tank, grease trap, portable toilet and related operations, or an such waste having similar characteristics or effect.

~~*Special pickup service*~~ *means* a collection service for pickup of items not authorized on a regular collection schedule. A special pickup service fee is charged based upon the total cost of labor, materials, equipment, and disposal expense incurred as determined by the city.

State of Emergency means any national, state, local, or other formally and officially

declared state of emergency under local, state, or federal law by a governmental authority having jurisdiction in or over the city.

Storm debris means any inorganic or organic refuse material resulting from any man-made or natural disaster, wind or flood event, tornado, tropical storm, or hurricane.

Trash means household discarded materials, furniture, and any other discarded matter, other than garbage, which is abandoned for disposal.

Waste means trash, garbage, rubbish, refuse, special waste, yard waste, or other discarded material resulting from domestic, commercial, or governmental operations, excluding biohazardous waste, biomedical waste, biological waste, construction and demolition debris, hazardous waste, hazardous materials, land-clearing debris, recyclable materials, and recovered materials.

Waste tire means a tire from a motorized vehicle, ~~that is~~ no longer suitable for its originally intended purpose because of wear, damage, or defect, or ~~which is~~ no longer intended by the holder thereof for vehicular use.

White goods means inoperative and discarded refrigerators, freezers, ranges, clothes washers and dryers, water heaters, dishwashers, and other similar domestic and commercial large appliances of any color.

Yard waste means grass, leaves, tree limbs, or other organic cuttings related to the maintenance of lawns and gardens. Yard waste is not municipal solid waste.

Sec. 83-3. - Solid waste services established.

The collection and disposal of municipal solid waste and recovered materials, operated and provided by the city, together with all extensions thereof and replacements thereto, are established and declared as general public services for the use and benefit of the city, and to be in the maintenance of public health and general sanitary conditions throughout the city.

Sec. 83-4. - Franchise agents, employees or officials to have same authority as city.

Whenever any act, duty or responsibility is required to be performed under this chapter by any duly authorized agent, employee, or official of the city, or whenever any authority or responsibility is conferred upon or given to any agent, employee, or official of the city, such act, duty or responsibility may be performed or such authority exercised by any agent, servant, employee, or official of any licensed

franchisee or independent contractor with whom a contract for operation ~~with of~~ the sanitary ~~garbage collection and disposal~~ municipal solid waste system may be entered into ~~with-between~~ such franchisee/contractor and the city. Such act, duty or responsibility may be performed and such authority exercised in the same manner as if performed by any agent, servant, employee, or official of the city; provided, however, that the performance of such act, duty, or responsibility, or the exercise of such authority is granted or authorized, either directly or impliedly, under the term of any franchise agreement or contract between the city and such private franchisee or independent contractor.

Sec. 83-5. - Mandatory service.

~~Every~~ Each use of a single-family dwelling, duplex, multifamily dwelling, residential, and commercial, and industrial user-premises within the city must subscribe for solid waste collection and disposal services provided exclusively by the city.

Sec. 83-6. - Authority and duties of city manager.

(a) ~~The~~ Subject to the city's contractual obligations to third-party vendors, city manager shall have the authority to make written regulations concerning the frequency and days of collection, type and location of collection containers, and other such matters pertaining to the storage, collection, conveyance, and disposal as necessary, and to change or modify the same. Such rules and regulations shall be intended to protect the public health, safety, and welfare, and to promote good sanitation and cleanliness, to improve system efficiency, to curb litter, and to protect the environment.

(b) Where prohibited acts or other noncompliance with the provisions of this chapter or written regulations are found, ~~the city code enforcement officer shall issue~~ a notice of code violation shall be issued to the violator by the city manager or city manager's designee.

(c) The city manager shall have the authority to suspend fees for regular residential sanitation service (but not special pickup service) ~~fees~~ upon written request of a residential customer who establishes that, for a period of at least one year ~~that~~:

(1) The customer's property will be vacant; and

(2) The property will ~~be generating~~ generate no solid waste or yard waste.

(d) It shall be the duty of the ~~customer services department manager~~ city manager

or city manager's designee to keep an accurate record of all parties using the city's solid waste services and to make charges in conformance with the rates established under this chapter by resolution of the city council.

Sec. 83-7. - Authority to deny service.

The city manager is authorized to deny service to any person not complying with the provisions of this chapter or with the regulations adopted and promulgated by the city manager pursuant to the authority contained in this chapter. In the event service is denied, no credit shall be given and billing shall continue.

Sec. 83-8. - Prohibited and unlawful acts.

(a) ~~It~~ Except as otherwise set forth in this chapter, it shall be prohibited and unlawful for any person to:

(1) Place hazardous wastes, ~~infectious-biohazardous wastes, septic tank wastes~~ sludge, or dead animals placed in any manner for collection by the city.

(2) ~~Allow~~ Subject to the following exceptions, allow accumulation of garbage or trash on any premises within the city for a period more than seven days. Failure to remove any such existing accumulation of garbage or trash within 48 hours after due notice thereof from the city shall be deemed a violation of this chapter. Exceptions are:

a. Where severe weather or "acts of God" make it impossible for the municipal solid waste collector normally providing collection services at the premises to perform collection services using normal collection equipment.

b. Official holidays interrupt the normal seven-day collection cycle, in which case collections may be postponed to the next working day of the municipal solid waste collector.

(3) Place municipal solid waste for pick up in plastic garbage bags only without depositing such bags in a residential municipal solid waste container, refuse cart, compactor, or commercial municipal solid waste container.

(4) Cause uncontainerized municipal solid waste to be placed on streets, alleyways, sidewalks, or storm drains.

(5) Cause uncontainerized ~~grass, leaves, or other organic cuttings related to the maintenance of lawns or gardens~~ yard waste to be placed out for collection.

~~(6) Produce or accumulate any construction and demolition debris, tree branches or similar debris while acting in the capacity of a contractor (such as a tree surgeon, lawn maintenance crew, landscaper or building contractor) without removal of the same to a designated disposal area.~~

~~(76)~~ Commingle with yard waste any municipal solid waste or non-biodegradable material ~~with yard waste.~~

~~(87)~~ Cause garbage, trash, recyclable materials, and/or ~~horticulture waste~~ horticultural waste to be stored in any public place at any time.

~~(98)~~ Cause garbage, trash, recyclable materials, or ~~horticulture waste~~ horticultural waste to be stored upon any private property other than that owned or occupied by the individual, except with the written consent of the owner or occupant.

~~(109)~~ Place garbage, trash, recyclable materials, or ~~horticulture waste~~ horticultural waste out for collection by any street, alley, service drive, easement, or right-of-way not serviced by city authorized collection trucks.

~~(1110)~~ Place garbage, trash, recyclable materials, or ~~horticulture waste~~ horticultural waste in a residential municipal solid waste container, refuse cart, compactor, or commercial municipal solid waste container belonging to another without proper authority.

~~(1211)~~ Bury refuse, waste matter, rubbish or garbage, including but not limited to, old buildings and structures, whether or not such materials are biodegradable, on any parcel of private property within the city unless properly permitted by required agencies and the city.

~~(1312)~~ Burn or cause to be burned any refuse or waste anywhere within the city limits, except as otherwise provided by law.

~~(1413)~~ Overload a commercial municipal solid waste container or refuse cart so that it cannot be safely handled by automated or semi-automated equipment.

~~(1514)~~ Place bulky waste out for collection within five feet of utility poles, mailboxes, or other permanent vertical structures, on top of surface level utility meters, or directly under overhead obstructions less than 20 feet in height.

~~(1615)~~ Block or prevent access to a commercial municipal solid waste container or refuse cart such that it cannot be collected by automated equipment at any time during normal collection hours.

~~(1716)~~ Fail to obtain the city's permission to place a municipal solid waste container in the city.

~~(1817)~~ Operate any vehicle in the city used in connection with tree trimming, landscaping, lot clearing or lawn maintenance without prominently displaying the business name, occupational license number and business telephone number on the vehicle.

~~(1918)~~ Fail to collect donated or discarded materials from a nonpermanent donation center such that donated or discarded materials are on the ground around the donation center for a period exceeding 24 hours.

~~(2019)~~ Commit any act prohibited or to fail to do any act required by this chapter or the solid waste regulations.

~~(2120)~~ Open, remove, untie, or to interfere with the orderly and legitimate collection of any refuse container, or to collect, disturb, or scatter refuse stored in containers placed for collection and disposal, unless authorized to do so by the city.

~~(2221)~~ Remove any material placed in either a city-owned commercial or residential municipal solid waste container, unless such person:

- a. ~~Had u~~Unintentionally placed such materials in the dumpster;
- b. Is a duly authorized sanitary municipal solid waste system collector engaged in the performance of duties related thereto;
- c. Is a law enforcement officer removing the material in the performance of duties; or
- d. Is otherwise authorized by law to do so.

(b) Unlawful placement of third-party or contractor-generated waste.

(1) It shall be unlawful for any third-party or person, which third-party or person is acting in the capacity of a contractor (such as a tree surgeon, lawn maintenance crew, landscaper, horticultural nursery, or building contractor), to produce, accumulate, create, or leave storm debris and/or contractor-generated waste, including, but not limited to, construction and demolition debris, horticultural waste, yard waste, tree branches, other solid waste generated by performance of any work by on private property, or debris/waste similar to the foregoing without removal of the same to a designated disposal area by the property owner, the property occupant, or such third-party or person acting in the capacity of a contractor. Proper disposal of such materials

shall be the responsibility of the property owner, the property occupant, or the person acting in the capacity of a contractor. No waste from such operations shall be placed in any residential or commercial container, or set out curbside for collection by the city without prior authorization by the city.

(2) In every contract or agreement to which a debris contractor is a party where such debris contractor is obligated to provide services resulting in the production, accumulation, creation, or placement of storm debris and/or contractor-generated waste, including, but not limited to, construction and demolition debris, horticultural waste, yard waste, tree branches, other solid waste generated by performance of any work by on private property, or debris/waste similar to the foregoing, such contract or agreement shall be in writing, be signed by such debris contractor and the person to whom the contractor is providing services, and include as a material term of such contract or agreement an obligation on the part of such debris contractor to transport storm debris and/or contractor-generated waste to a permitted dumping site as part of the scope of work of such contract or agreement.

(c) *Penalties.* A violation of this section shall be ~~punishable by a fine of \$100.00~~ subject to penalties pursuant to Section 22-4(b)(13) of this code of ordinances.

Sec. 83-9. - Residential solid waste service standards.

(a) Each residential dwelling shall receive a city-authorized ~~garbage container~~refuse cart. Each container shall bear a serial number, which has been assigned to a street address, and the container shall remain at the assigned property regardless of whether the resident sells or moves. Utility customers terminating or transferring the utility account and not leaving the assigned residential refuse ~~container~~cart shall be charged a fee for ~~the container~~such refuse cart as determined by the city. Householders may request an additional residential ~~container~~cart for a fee ~~as determined~~established by the city council.

(b) Residential garbage will be collected no less than one time per week on regular schedules. Pickups shall be not be reduced by holidays, but pickups normally scheduled to be made on a holiday may be rescheduled by the city or its designated representative.

(c) On the day of scheduled service, each ~~container~~refuse cart shall be placed within three feet of the curb or edge of roadway, except not on a sidewalk. The container may be placed for service on the night prior to collection but no later than

6:00 a.m. on the scheduled service day. All ~~containers~~ refuse carts must be removed from the street by darkness on service day and stored at the residence in a discernable manner. If a ~~container~~ refuse cart remains at the street on a recurring basis, a penalty fee ~~as determined~~ established by the city council will be charged. Any such penalty will be assessed with the monthly utility bill for the residential customer.

(d) Residential customers who cannot transport the garbage container because of health reasons or physical limitations may provide a written statement from a physician to qualify and receive "disability" service. This service is available only to disabled customers at the recorded address and when there is no one living at that address who is physically able to roll the cart to the street. A fee ~~as determined~~ established by resolution of the city council will be charged for disability services. Disability service accounts shall be renewed annually.

(e) Municipal solid waste, as defined herein, shall not be deposited directly into the carts. To be in compliance with this chapter, all municipal solid waste generated at residential ~~units~~ dwellings, other than bulky waste and white goods, must be placed into a plastic garbage bag which is then tied and then disposed of in the appropriate container for the applicable collection method. Garbage placed in unapproved containers or placed outside of the city-approved issued refuse cart will not be picked up. Cardboard boxes must be broken down and placed directly into the refuse carts. Municipal solid waste consisting of *de minimis* quantities of construction and demolition debris resulting from minor home repair from the residential dwelling-unit may be placed directly into the cart.

(f) Residential garbage not placed within the approved city containers shall not be picked up by the city. Exceptions to this standard will be made during the Christmas holiday period.

(g) Residential ~~horticulture waste~~ horticultural waste will be collected as a "regular service" no less than one time per week on regular schedules. Pickups shall be not be reduced by holidays, but pickups normally scheduled to be made on a holiday may be rescheduled by the city or its designated representative.

(1) Regular horticulture service is for one pile of ~~horticulture waste~~ horticultural waste, including limbs, trimmings, and cuttings, not to exceed the volume dimensions which measure four feet high by four feet wide by eight feet long. Limbs shall not exceed six feet in length and six inches in diameter. Bushy limbs shall be cut apart and trimmed to lay flat. No one item, including containerized debris, can weigh more than 40 pounds. Persons

placing wastes for collection which exceed these standards shall coordinate with the customer services department for proper removal as a special pickup service at a fee ~~determined~~ established by the city council or designated ~~carrier~~ collector.

(2) Grass clipping, leaves, or other organic cuttings related to the maintenance of lawns or gardens must be bagged in a plastic garbage bag, and/or containerized for curbside collection. Loose leaves and grass clippings placed for pickup will be only be removed by "special pickup" service.

(h) ~~Horticulture waste~~ Horticultural waste shall be placed for collection immediately adjacent to the premises producing such wastes, but not upon the paved street, sidewalk or storm gutter. The city will not be responsible for damage to sprinkler systems, sprinkler heads, water meters and other objects, including fences, gates and hedges, other plants and trees damaged due to ~~horticulture waste~~ horticultural waste being placed over or piled on or against such items as a result of being placed there for collection by the ~~occupants and/or owner of the property~~ customer.

(i) No ~~horticulture waste~~ horticultural waste shall be placed for collection against or within ten feet of any wall, fence, vehicle, electric pole, down guys, utility lines, traffic control device, telephone interface junction panel, water valve box, manhole, tree, or any other obstruction so as to impede collection.

(j) No ~~garbage or other solid waste materials~~ contaminated waste shall be placed for collection ~~commingled with horticulture waste~~ horticultural waste. ~~Commingled Contaminated waste of this nature shall constitute a contaminated waste pile and will only be removed by "special pickup" service.~~

(k) Accumulations of residential yard waste, trash or other refuse cleared from vacant property, or of construction and demolition debris, or other such rubble or refuse deposited on either vacant or occupied property, will not be picked up by as part of regularly scheduled weekly collection of solid waste, whether or not such refuse accumulations are the result of fire, windstorm, or other forces of nature, or of actions of an owner, tenant, or contractor. If an owner or tenant requests the city to remove and dispose of such refuse accumulation, and the city agrees, such owner or tenant shall pay to the city a "special pickup service" fee based upon the total cost of labor, materials, equipment and disposal expense incurred or used therefor.

(l) Waste placed for collection in violation of any section of this chapter shall be tagged with written notice stating that the occupant of the premises must remove

same within 48 hours. If the occupant fails to remove the waste, the city will pick up this accumulation and the occupant will be charged for a "special pickup" service. The special pickup service fee will be charged with the occupant's monthly utility bill.

(m) Bulky wastes and white goods.

(1) ~~Residential solid waste consisting of discarded furniture and bedding items~~ Residential junk shall be collected on a weekly basis as a regular service by the city. The volume of such ~~waste-matter~~ shall not exceed dimensions which measure four feet by four feet by eight feet.

(2) White goods shall be collected as only as a "special pickup" service. All airtight units shall have the doors removed before being placed for collection separately at a curbside location within three feet from the traveled portion of the public street adjacent to such premises in such a manner as to not interfere with or endanger the movement of vehicles or pedestrians. All stand-up items shall be laid flat. Scrap metal such as poles, pipes and antennas shall be cut or bent into pieces not longer than six feet. Refrigerators, freezers, air conditioners or any other appliance or white good containing refrigerants must be handled as ~~special hazardous~~ waste.

(n) Hazardous waste. A person generating or otherwise responsible for disposing of hazardous waste shall arrange with the city's customer service department for special pickup service, or otherwise directly contract with a collector for removal and disposal of such hazardous waste.

Sec. 83-10. - Solid waste service standards—In general.

(a) *Exclusive service.* ~~Nonresidential—Solid waste service users~~ which are not residential customers within the city shall subscribe for solid waste collection and disposal services provided exclusively by the city or any licensed franchise agent or independent contractor with whom a contract for operation with the sanitary ~~garbage collection and disposal~~ municipal solid waste system may be entered into with the city.

(b) *Collection containers.* Nonresidential solid waste containers shall be of adequate size and shall be serviced with appropriate frequency as determined by the city or designated franchise agent to prevent unsightly, unhealthy or objectionable accumulations. It shall be unlawful to place a container at a location which is not approved by the city, and it shall be unlawful for any person or owner

to remove, or permit to be removed, a city-permitted container from such approved designated location without the consent of the city.

(c) *Waste collection on private property.* Where it is necessary for the sanitation carrier to drive on private roads or driveways to reach designated points of collection on private property, it shall be the duty of any person, developer, architect, or agent in charge of the construction or maintenance of said private roads which are new or existing that are dead-end, continuous, or driveways to ensure that the same are constructed and maintained so as to accommodate fully loaded waste collection vehicles.

(d) *Missed collection service.* Missed service must be reported on the same day the service was scheduled to be performed. If it is verified by the city that the service route was performed and that the container was not placed at curbside or was uncollectable due to obstruction or overloading and the customer requests collection service to empty the container before the next scheduled collection day, the customer shall be charged a rerouting or extra dumping fee.

(e) *Special pickup service.* Collection service for pickup of items not authorized on a regular collection schedule include, but are not limited to the following: All bulky wastes exceeding size thresholds, white goods, contaminated ~~horticulture waste~~ horticultural waste piles, loose leaves and grass clippings, and any other unaccepted residential waste as determined by the city. Special pickups will be coordinated by the resident with the city customer service department as to time, place, date and items to be picked up. The special pickup fee shall be charged with the customer's next regular utility bill.

(f) *Removal of objects fallen off vehicles.* Any owner, lessee, or driver of any motor vehicle or boat from which any materials or objects have fallen, blown, leaked, sifted or otherwise escaped shall immediately cause the materials or objects to be cleaned up and shall pay any costs thereof.

(g) *Multifamily dwellings.* In lieu of the requirement of residential ~~garbage-refuse~~ carts, multiple or multifamily dwellings or group of such dwellings may be required dumpster services as determined by the city.

(h) *State of emergency.* If a state of emergency has been declared by the city council residential garbage and trash collection shall be made in accordance with the emergency plans of the city as authorized by the city manager or designee.

Sec. 83-11. - Use of containers; preparation of nonresidential waste for collection.

(a) At multifamily residence and places of business where dumpsters or recycling containers are provided by the city, no municipal solid waste or recyclable commodities shall be placed in or collected from any location or container other than the dumpster or recycling container placed by the city. Cardboard boxes, wooden boxes, crates and other bulky objects shall be broken down before being placed in a dumpster.

(b) It shall be unlawful to dump or place, or cause to be dumped or placed, any municipal solid waste or litter of any kind in any dumpster owned by the city or placed for service by authority of the city, by anyone other than the individual renting the dumpster or authorized to use the dumpster by the renter.

(c) In business districts, only municipal solid waste shall be deposited in dumpster or approved solid waste container provided by the city. All municipal solid waste (excluding hazardous waste) such as wet garbage or food waste shall be drained and placed in a removable plastic garbage bag not less than 1½ mil thick and securely closed before being placed in the solid waste container. Solid waste containers shall be kept tightly covered at all times except when it is necessary to lift the cover to deposit municipal solid waste in the container.

Sec. 83-12. - Authority to inspect premises.

The fact that any residence or any place of business has water service and a certificate of occupancy shall be prima facie evidence that municipal solid waste is being generated and accumulated on such premises and the city may inspect and supervise such premises and remove or cause the removal therefrom of all municipal solid waste found thereon, or notify the proper persons if such removal is not the responsibility of the city. If the city must remove the waste to protect public health and safety or maintain cleanliness, the amount of solid waste removed and the amount of labor needed to collect such waste shall be quantified and the appropriate special service fee shall be applied to the property owner's next monthly utility bill.

Sec. 83-13. - Standards for private collectors and outside collectors.

(a) *Requirements during construction.* Prior to the issuance of a building permit by the city building official for the construction of a new structure or the extensive renovation or modification of an existing structure, provisions must be made for the on-site storage and handling of refuse.

(b) *Procedures for removal of construction wastes.* Builders, building contractors

and construction tradesman shall use city-designated services for removing from the site all construction and demolition wastes (excepting earth) emanating from their work. ~~PA privately operated or company-owned waste disposal services collector~~ may be used when approved by the city manager or designee. Builders shall be responsible for removal and lawful disposal of excavated earth materials within 30 days of accumulation.

(c) *Responsibility for removal of waste by producer.* It shall be unlawful for any person upon vacating or moving from any dwelling, storeroom or any other building situated within the corporate limits to fail to remove all garbage, rubbish and debris from such building and premises and grounds appurtenant thereto, or to fail to place said waste in an approved sanitary container for disposal in accordance herewith. Failure of a renter; lessee, and/or tenant to comply with this requirement shall obligate the property owner of record to fulfill the responsibility of compliance with this chapter.

(d) *Transportation over city streets.* Collectors of commercial refuse and collectors of refuse collected from outside the city desiring to haul over the streets of the city may do so provided they use vehicles designed or outfitted so as to prevent the refuse carried therein from being blown, dropped or spilled from said vehicle.

Sec. 83-14. - Waste collection fees set by city council.

City shall be responsible for monthly billings to and collecting from all residential customers receiving basic residential services and additional services from the collector. The collector shall be responsible for monthly billing to and collecting from all commercial customers receiving refuse collection and disposal services from the collector. This service shall include trash and garbage removal and shall be charged to the consumer at a rate prescribed by the city council. If the utilities customer is a lessee of the premises serviced, or one other than the record owner thereof, the property owner of record shall be jointly responsible for the payment of the utilities that will include the fees for waste removal.

Secs. 83-15. - Waste disposal in states of emergency.

During any period of a declared state of emergency in the city:

(a) A debris contractor shall comply with the provisions of Paragraphs (b) and (c) of Section 83-8.

(b) Before providing debris management or removal services to a person in the

city, a debris contractor shall first register with the city department designated by the city manager. As a condition of being issued a registration number by the city, the following information shall be provided by a debris contractor to the city department designated by the city manager:

(1) The name of the debris contractor.

(2) The name or names of up to three designated natural persons to serve as primary contacts for the debris contractor, and a copy of the driver license of such designated natural person or persons.

(3) The mobile telephone number for the natural person or persons designated in Paragraph (b)(2) of this Section 83-15 where such telephone number shall be associated with a telephonic device capable of sending and receiving telephone calls and SMS/text messages.

(4) An email address for each natural person designated by a debris contractor as contact person pursuant to Paragraph (b)(2) of this Section 83-15.

(5) Name, primary business physical address, and primary mailing address for such debris contractor's designated agent for service of documents, citations, and complaints.

(6) Certification from a natural person designated pursuant to Paragraph (b)(2) of this Section 83-15 that the debris contractor has not been previously suspended or denied registration by the city or Columbia County at any time prior to the date of the certification.

(c) All information obtained pursuant to Paragraph (b) of this Section 83-15 shall be subject to administrative verification by the city manager or city manager's designee. Upon verification of the information obtained pursuant to Paragraph (b)(2) of this Section 83-15, the debris contractor shall be issued a registration number.

(d) The city manager or the city manager's designee shall deny issuance of a registration number to a debris contractor if any information supplied pursuant to Paragraph (b)(2) of this Section 83-15 cannot be verified, shall provide notice to the subject debris contractor of such denial, and shall, within three working days following such notice to the subject debris contractor, allow the subject debris contractor the opportunity to cure any deficiencies in the information provided to the city manager or city manager's designee by such debris contractor.

(e) The city manager or city manager's designee shall revoke a debris contractor's

registration issued pursuant to this Section upon the violation of this Chapter 83, or upon the violation of any other provision of local, state, or federal law. The subject debris contractor shall immediately suspend all work in the city, including, but not limited to providing storm debris management and removal services following such revocation of registration.

(f) The natural person designated by a debris contractor pursuant to Paragraph (b)(2) of this Section 83-15 shall be located and situate within the boundaries of Columbia County, Florida at all times during which such debris contractor is providing storm debris management and removal services in the city.

(g) At least once each calendar day for each calendar day during which such debris contractor provides storm debris management and removal services in the city, a debris contractor shall access for the purpose of reading any email communications from the city, the email address or addresses provided pursuant to Paragraph (b)(4) of this Section 83-15.

(h) A debris contractor shall prominently display on the interior dash, and on the right and left side of the exterior of any motor vehicles used in the delivery of storm debris management and removal services in characters printed in black on a white background, which characters are no less than four inches in height, and otherwise clearly legible, the registration number provided to such debris contractor pursuant to Paragraph (c) of this Section 83-15.

(i) A debris contractor shall include in each and any contract or agreement between such debris contractor and an owner to provide storm debris management and removal services in the city a provision in substantially the following form:

The owner shall initial beside one of the following provisions:

(): This is a contract to provide storm debris management and removal services*. Pursuant to Chapter 83 of the City of Lake City Code of Ordinances, the debris contractor providing such services as set forth in this contract shall transport storm debris and/or contractor-generated waste* to a permitted dumping site as part of the scope of work of this contract or agreement. The transportation of and any fees associated with discharge of such storm debris and/or contractor-generated waste* is included in the storm debris management and removal services* to be provided to the owner by the debris contractor* being a party to this agreement.

(): This is a contract to provide storm debris management

Initials and removal services*. Owner* shall transport storm debris and/or contractor-generated waste* to a permitted dumping site as part of the scope of work of this contract or agreement and shall hold harmless the contractor for same. Chapter 83 of the City of Lake City Code of Ordinances prohibits the curbside* placement of such storm debris* and/or contractor-generated waste* for disposal by the city or by a collector* employed by or otherwise performing services pursuant to a contract with the city. Pursuant to Chapter 83 of the City of Lake City Code of Ordinances, owner shall be subject to fines for curbside* placement of such storm debris* and/or contractor-generated waste* resulting from the services hereby provided by contractor; and/or for failure to transport to a permitted dumping site, storm debris and/or contractor-generated waste resulting from the services hereby provided by contractor.

* As defined in Chapter 83 of the City of Lake City Code of Ordinances.

(j) A debris contractor shall be prohibited from contracting with a third-party (other than an owner) to provide storm debris removal or transport services to remove or transport storm debris from a property where the owner of such property contracted with such debris contractor to provide storm debris management services.

(k) A debris contractor shall, before the end of each calendar day during which calendar day such debris contractor provided storm debris management and removal services in the city, and from an email address supplied pursuant to Paragraph (b)(4) of this Section 83-15, send an email to an email address provided to such debris contractor by the city manager or the city manager's designee, containing the following information:

(1) The name of the debris contractor.

(2) The physical address of each property to which the debris contractor has provided storm debris management and removal services in the city for such calendar day, or on any prior calendar day where such services have not previously been reported, accompanied by the name and mobile telephone number of an owner of such property which owner authorized the debris contractor to perform such services on such property.

(l) A debris contractor shall, at the request of the city manager or the city manager's designee, provide to same within three calendar days following such

request, a copy of any contract, agreement, work order, purchase order, or other document between such debris contractor and an owner of property to provide to such owner storm debris management and removal services where such property is located in the city.

(m) The city manager or the city manager's designee shall cause to be liberally posted signage throughout and at the borders of the city providing notice of the requirements of this Section 83-15 to persons being in and entering into the city.

(n) A registration obtained by a debris contractor pursuant to this Section 83-15 shall expire at the end of the last calendar day of the calendar year in which such registration was obtained.

Secs. 83-16—83-30. - Reserved.

SECTION 2. SEVERABILITY.

It is the declared intent of the City Council of the City of Lake City that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be valid.

SECTION 3. CODIFICATION AND SCRIVENOR'S ERRORS.

It is the intention of the City Council of the City of Lake City that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the City of Lake City, Florida. The Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention. The correction of typographical errors which do not affect the intent or substance of the ordinance may be authorized by the City Clerk or the City Clerk's designee with the consent of the City Attorney without public hearing, by filing a corrected or re-codified copy of the same with the City.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS.

All ordinances and resolutions, or parts of ordinances and resolutions in conflict herewith are, to the extent of the conflict, hereby repealed.

812 **SECTION 5. EFFECTIVE DATE**

813 This ordinance shall be effective as of the date of its adoption.

814 **PASSED** upon first reading this _____ day of _____, 2025.

815 **NOTICE PUBLISHED** on the ____ day of _____, 2025.

816 **PASSED AND ADOPTED** on the second and final reading this ____ day of
817 _____, 2025.

BY THE MAYOR OF THE CITY OF LAKE CITY,
FLORIDA

Noah E. Walker, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF
THE CITY OF LAKE CITY, FLORIDA:

Audrey Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Clay Martin, City Attorney